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Applicant: Adi BALAN, et al.  
Serial No: 10/009,375  
Filing Date: April 9, 2002  
For: GAMMA CAMERA AND CT SYSTEM  
Enclosures: (1) Transmittal Letter (in duplicate);  
(2) Response To Office Action (2 pages);  
(3) Acknowledgement Postcard.

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**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
037/02528

In Re Application Of: **Adi BALAN et al.**

Application No.  
10/009,375

Filing Date  
April 9, 2002

Examiner  
GABOR, Otilia

Customer No.

Group Art Unit  
2878

Confirmation No.

Title: **GAMMA CAMERA AND CT SYSTEM**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**Response to Office Action dated February 28, 2004**

In the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
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*Paul Fenster*

*Signature*

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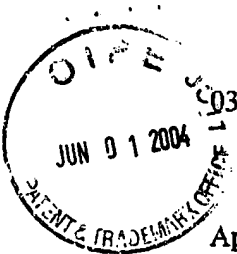
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037/02528 A03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Adi BALAN, et al.  
Serial Number: 10/009,375  
Filed: April 9, 2002  
For: GAMMA CAMERA AND CT SYSTEM  
Art Unit: 2878  
Examiner: Otilia GABOR

Mail Stop Amendments  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

Further to an office action dated February 28, 2004, the following is applicants' response:

REMARKS

The present application contains claims 1-8, 29-49 and 51-63. Claims 29-47 have been elected in response to a restriction requirement.

Claims 29-47 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Morgan, et al. Applicants respectfully traverse the rejection.

Morgan teaches a system in which a CT image is acquired first as a primary diagnostic image. Based on this image a decision is made as to whether an image in a different modality is necessary. This second image which can be a nuclear medicine image can be restricted in area to the area that is of interest, based on the CT image. This allows for avoiding the second imaging modality unless indicated by the CT image and also, in some cases, for providing a higher resolution image in the second modality. Since the CT is faster than nuclear imaging, the CT will be used to image all the patients and the nuclear medicine on some of the patients.

That this is the teaching of Morgan and that this is the order of taking the images is clearly set forth at col. 7, lines 22-63 and col. 10, lines 27-34.

Applicants submit that there is no *prima facie* case of unpatentability since there is no motivation to reverse the order of the imaging. In fact, there is a built in motivation, as described at col. 10, lines 27-34 to perform the CT first. Applicants submit that the Examiner has presented no motivation and that there is, in fact, no motivation for reversing the order of the examinations.